forwarding

NOT FOR DISTRIBUTION

April 69

Subject to revision

THE THREE CARTRIDGE CASES

by Richard Bernabei

Background

John F. Kennedy, President of the United States, was shot and killed on Dealey Plaza in Dallas, Texas. The assassination occurred at 12:30 p.m. on 22 November 1963.

At 1:12 p.m., in the course of a general search of the Texas School Book Depository building, which was located behind the President when he was fired upon, Dallas police officers discovered three spent cartridge cases lying near a half-open window at the southeast corner of the sixth floor of the building. The cartridge cases were designed for firing 6.5 mm bullets in Mannlicher-Carcano rifles. (WR 79)*

At 1:22 p.m., after further searching, police found on the sixth floor a Mannlicher-Carcano rifle tucked inconspicuously among surrounding cardboard cartons. (WR 79)

Conducted chiefly by FBI firearms identification expert Robert A. Frazier, examination of the three cartridge cases disclosed that each had been fired in the Mannlicher-Carcano rifle to the exclusion of all other weapons. (WR 85, 557)

Moreover, the official investigators determined that several months before the assassination the rifle had been purchased by Lee Harvey Oswald. (WR)

Late in November, 1964, President Kennedy's successor appoined the so-called Warren Commission, and by executive order he directed the Commission "to evaluate all the facts and circumstances surrounding the assassination...and to report its findings and conclusions." (WR ix)

Issued in September, 1964, the Report of the Commission concludes that Lee Harvey Oswald alone killed the President in the course of firing three shots with the Mannlicher-Carcano rifle from the location at the sixth floor window of the Texas School Book Depository. The Report says (WR 110):

The most convincing evidence relating to the number of shots was provided by the presence on the sixth floor of the three spent cartridge cases which were demonstrated to have been fired by the same rifle that fired the bullet which caused the wounds.

(or phrase?)

? Referring specifically to the number of shots that were fired, the Report says: The most convincing evidence... was provided, etc.

Introduction to the issue

Fierce controversy surrounds almost every issue that bears on the assassination of the President. To my readers I offer sincere apology because limitations of space compell me to disregard all but one issue and the few matters that are directly related to it, the evidence of the three cartridge cases.

As justification for such a circumscribed procedure, I offer two assurances: that the issue in question is enormously important, for it bears heavily not only on a fundamental aspect of the assassination itself, but also on the character of the governments investigation of the assassination; and that the issue is completely settled, beyond any doubt. It

* "WR" refers to the Warren Report; the numerals refer to pages.

is secure even from the cavil of those who still cherish the notion that the government cannot be grossly wrong about a national catastrophe of such magnitude as the assassination of a President-- flagrant error, you see, implies flagrant intent to err.

Moreover, the conclusive settlement of this issue denies refuge in the specious plea, "So what?". Powerfully, undeniably, the evidence implies that Lee Harvey Oswald is innocent of murdering the President. More than that, it leads unambiguously to the conclusion that Oswald was deliberately framed, framed not merely by accomplices in the assassination itself, but also by the very investigators who allege that Oswald alone is guilty.

The burden of this report

None of the three cartridge cases was used for the assassination of the President. In each instance, before the assassination occurred, the bullet was manually removed from the loaded cartridge, the empty cartridge case was placed in the chamber of the rifle and fired. The three cartridge cases were deposited near the sixth floor window; they had never been used to fire bullets from the Mannlicher-Carcano rifle.

The explicit description of what happened to the cartridge cases depends on two phenomena: the presence of certain conspicupos dents on the cartridge cases; and the absence of certain microscopic markings from the brass bases of the cartridge cases. Understand now that each phenomenon by itself, without reference to the other, conclusively establishes that none of the cartridge cases was used for the assassination.

How we know about the cartridge cases

The three cartridge cases are part of the evidence of the Warren Commission; they bear the designations Commission Exhibit (CE) 543, CE 544, and CE 545. Since CEs 544 and 545 are similar to one another in all essential respects, I shall often refer to the two as a single cartridge case with the designation CE 544/545.

For reasons which are known only to those who conducted the official investigation and issued the Warren Report,- reasons which others may ponder in the light of what follows, the most important physical features of the three cartridge cases are referred to nowhere among the official documents of the Warren Commission-- not in the Warren Report itself, not in the 26 volumes of published documents, not in the tons of unpublished reports that rest in the National Archives, not among the documents that are still classified "Top Secret"-- nowhere.

The reader can see good and informative photographs of the cartridge cases in Josiah Thompson's Six Seconds in Dallas, (N.Y.; Geis; 1967) pp. 144f. I rely on Thompson for his description of the cartridge cases and for his conclusion regarding the significance of the dent on CE 543. If you consult Thompson beyond that, read him with extreme caution, for he gravely misinterprets the significance of certain other phenomena. The limitations of this medium of reproduction causes me to provide the reader only with drawings; Be assured, however, that the drawings accurately represent the physical objects upon which they are based.

Description of cartridge case CE 543 (dented case mouth)